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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/147,696 05/03/99 GOURIO

N 1247-0791-0V

EXAMINER

PM82/0119

OBLON SPIVAK MCCLELLAND
MAIER & NEUSTADT
1755 JEFFERSON DAVIS HIGHWAY
FOURTH FLOOR
ARLINGTON VA 22202

JOHNSON, S

ART UNIT

PAPER NUMBER

3641
DATE MAILED:

01/19/01

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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SERIAL NUMBER 09/147,696	FILING DATE 02/18/1999	FIRST NAMED APPLICANT Noel Gourlo	ATTORNEY DOCKET NO. 1247-0791-0V PCT

EXAMINER	
S. Johnson	
ART UNIT	PAPER NUMBER
3641	9

1. The reply filed on 11/17/2000 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): Applicant's amendment is considered to be non-responsive because it does not respond to every rejection and objection made in the previous Office action (paper number 7 (mailed on 08/18/2000)). See MPEP 714.02 (b). Paragraphs 2-8 of the previous Office action (paper number 7) have not been responded to.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Any inquiry concerning this communication should be directed to Stephen M. Johnson at telephone number (703)-306-4158.



STEPHEN M. JOHNSON
PRIMARY EXAMINER

Art Unit: 3641

1. Applicant's election with traverse of species A (fig. 1) in Paper No. 10 is acknowledged. The traversal is on the ground(s) that there is no serious burden upon the examiner in examining all 3 species in one application. This is not found persuasive for the following reasons. (1) The searches for each of the different species while similar would not be identical. Different material types for differing structural elements (of the different species) denote differing word searches. (2) To the degree that the searches are co-extensive, it takes considerably more time to look for a plurality of invention than it does to look for a single invention in a single search. (3) It takes considerably more time to consider the additional claims and art associated with the additional inventions. In view of the fact that the examiner has only a very limited amount of time to perform a first action on the merits as well as subsequent actions (in this case about 7 hours to perform a first action on the merits), it appears in the best interest of both applicant and the Office that the examiner be given sufficient time to perform the task with a resultant quality product.

For all of the above reasons, the requirement is still deemed proper and is therefore made FINAL.

Claims 22-27 read on the elected species and an action on these claims follows.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 3641

3. Claims 22-26 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Cheron et al..

Cheron et al. disclose an armored transparent partition comprising:

- a) at least two layers that are sheets of glass, 16, 17
- b) an interpolated polyvinylbutyral layer, and 20
- c) a metal insert. 22

4. Claims 22-25 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Stephinson.

Stephinson discloses an armored transparent partition comprising:

- a) at least two layers that are sheets of glass, 2, 3
- b) an interpolated adhesive layer, and 10
- c) a metal insert. 9

5. Applicant's arguments with respect to claims 22-26 have been considered but are moot in view of the new ground(s) of rejection.

6. Claim 27 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 3641

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication should be directed to Stephen M. Johnson at telephone number (703)-306-4158.



STEPHEN M. JOHNSON
PRIMARY EXAMINER